1/31/71

Dear Jim,

Between the dark and the daylight, at the top end, is not at all as Longfellow put it if, as is the case at this moment, I have just gotten out of bed. Time was, as a few years ago I suddenly became aware of stiffening (and it was sudden), I made my coffee and my wife's mate, and while they were working did a few vigorous exercises and suddenly felt better and much more limber. Recently I was told not to do this as soon as I got up, not to do the things I was doing, and to do certain scientific things some of which seem to be nonsense but work rather well on the bursitis. IIm still out of bed as soon as I awaken, but poor tired Lil can't make it. She lies there and sips her mate first. With nothing that I want to read on hand and with the work I'm doing rewuiring some concentration -end the ice on the lane making it foolhardy to go for the Sunday paper, I write you for several reasons that came to mind after I added the copy of the letter to Ervin last night. I had to make one for a friend, and when I did it occurred to me it might interest you. Then I wondered if you'd feel called upon to respond. Don't. Unless you should happen to see something on the wire or in some paper that would make this file I've started, for it may assume relevance, a better file.

The other thing, again requiring no response, is Hal - in two parts. First, that tortured young man of great wealth who came to see me something above a month ago, asked how he could help, bought things from me for which he said he'd send a check and hasn't, and then phoned to apologize and to add that he'd pay form my getting a set of the just-declassified documents, hasn't. It has been so long I assume now that he will not. So, if Hal can look up that fellow who has a return-address "property owner" on his envelope, the one who once considered paying the cost of publishing COUP and then decided against it, I'd appreciate it. If he will, that would help. If he doesn't, I'll be able to, but the cost will be heavy. I'm due for the rest of the advance on FRAME-UP in March. I'd planned giving 100% of it to the bank, which has been very good about my debt. But I can take it ouf of that. Every thing I do is in terms of debt-either increasing it or preventing decreasing it. I was able to reduce it slightly last year with the advance on the book and with some overdue money I collected. These things also eliminated the problem of the quarterly interest, except for the first one, where I was late and had to borrow to make it, money due me and set aside for that being late reaching me. If I had the money owed me I could liquidate this debt and have that load off my mind and, I suppose almost literally, my back.

Hal also seems turned off. It is quite unlike him not to have written me for so long-about anything. It was long before he went abroad. I know of another case where Paul was the activating thing, a fine young fellow who had done so much work, despite being busy otherwise. But when Paul did that melon-choly of his, it was just too much for this young man, overwhelming him with a feeling of futility. Knowing how Hal felt about Paul, I wonder is that has anything to do with it. His personal affairs can also. Anyway, when you see him again, I'm sure he'll remember the name I do not, and I'd appreciate it if he'd ask that guy. Right now it looks like the cost can be as much as $300. There was an awful lot of plain junk that was withheld, and several hundred pages that were actually published. In each case close study will be required to determine if it was just accidental that this stuff was suppressed, if there is something different in the withheld copy, if there was good reason for withholding it missed or ignored by the Commission, etc.

With a few more minutes before it is light enough for me to feed our birds or get the paper, and with Lil not yet having started breakfast, let me update you on what I'm into that requires such concentration. It is response to the government's belated

motion for dismissal or summary judgement in my suit for pictures of the President's clothing and the right to look at them and have special pictures made. If you are not aware of it, filing such a motion is as automatic as breathing. When they didn't and instead filed a grabage they called an "answer", I face and immediate question, why. Ultimately, I was able to answer it to my own satisfaction. When they didn't make this motion it meant they wanted the case to go to trial. Of course, so did I, until I finally doped out what I think they're up to. Then I filed a motion for summary judgement. Along time went by and nothing happened. This case was assigned to a liberal judge, one who also has the guts to tangle with the FBI, as he recently did. The government had ten days to answer, and they didn't. He should then have acted, and there was ample in my motion to justify his awarding the summary judgement. This would have meant little, for the government would have appealed, and that would have presented me with problems I probably wouldn't be able to handle, in time and in cost. So, I had to ask myself another why. I decided the judge is hung up on Warren and that the Department of Justice, which is the lawyer for all government agencies, is up to perhaps the dirtiest thing they have yet pulled. They have contrived it to make it seem, if I win in court or if the case gets any attention, that they are pure as the driven snow, with the real responsibility for the suppressions being that of the family! It is the most sinister thing yet.

I'm sure I'm right, if I don't give you the details, some day I'll be out there again and tell you how I reconstructed this. Sooner, perhaps, you'll see the signficance of what they gave me to get themselves in this position, I'm quite confident without understanding its significance. I do have four of the suppressed pictures, and they more than confirm my analysis of what did and didn't happen. They are more impirtant than Zapruder. I've already gotten a criminalist's scientific opinion of one, and it is enough, with attention, to end the official mythology.

After long silence, when I could have moved for immediate trial but with the bursitis and this fear I didn't, they filed their motion on January 13. It was six days later before I could look at it. I then got an extension until 2/16, which is less than the 30 days I asked. Strange, considering how long the government had. The paper is one of considerable complexity and total dishonesty. It is loaded with quotes that must impress a judge. Not one is complete and accurate! Those that seem to be relevant are not. They have added emphasis without so indicating. They have edited their quotes to make them say the opposite of the originals. It is simply incredible, and extension of Orwell, or is it an updating, to rewrite history while it is happening. Well, all of this takes much time to check out. And it confronts me with the need for a long and detailed reply, which no judge will welcome, few will read--and Lil is working, so when it is done I'll have the problem of getting it typed, too. I did about 4,000 words yesterday and, with no interruptions, but a much later start, I'll get a lot done today, too. There will be time pressure on the editing, which will be very important...And the Kennedys are all yellow, the real one and the hangers-on. If I had a good courtroom lawyer, I'd want this to go to trial, put witnesses on, and establish what Justice is really up to. But not being a lawyer, with a judge who thinks he can defend Warren with three-monkeys law, I could be ruined by technicalities. So, however I look at it, I've got problems. The approach I'm taking is that of my writing. I compare the quotes of the motion with the reality, the allegations with the originals on which they are based. What I will emerge with will be of use in the last part of POST MORTEM. It will not be wasted, whatever happens in court. And, regardless of what happens in court, it will make an official record of some value for the future. It is a documentation of official duplicity that is so thoroughly bad it makes the Warren Report look like the books of Moses...Now I can feed the birds, and I hear noises from the kitchen. Best to you both. And for Jenifer, Lil still hasn't make up her mind. She's been too busy. I want her to get some more. Thanks, best,